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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,263	07/25/2003	Yoshihide Kuroki	KUROKI I	7607
25889	7590	01/29/2004		EXAMINER
WILLIAM COLLARD COLLARD & ROE, P.C. 1077 NORTHERN BOULEVARD ROSLYN, NY 11576			FIGUEROA, FELIX O	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/627,263	KUROKI, YOSHIHIDE	
	Examiner Felix O. Figueroa	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-11 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-11 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 25 July 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 20030725.
- 4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure. It should avoid using phrases which can be implied, such as, "according to the present invention," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Claim Objections***

Claims 1-11 are objected to because of the following informalities:

In claim 1 lines 7-8, "the closing direction" lacks antecedent basis. In lines 9-10, "said at least one shutter" (both occurrences) should be --said shutter-- in order to be consistence throughout the claim.

In claim 2 line 2, "comprising" should be --comprises--; and "the direction" lacks antecedent basis. In lines 2-3, "the fitting direction" lacks antecedent basis.

In claim 3 line 1, "shatter" should be --shutter--. In line 3, "the ends" lacks antecedent basis.

In claim 4 line 2, "the front ends" lacks antecedent basis.

In claim 6 line 2, "the front portion" lacks antecedent basis.

In claim 7 line 4, "the vertical direction" lacks antecedent basis.

In claim 9 line 2, "the mating contacts" lacks antecedent basis. In line 5, "the width direction" lacks antecedent basis.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the relationship between "the fitting part" and "the insulator".

The scope of claim 1 is indefinite because there is an inconsistency within the claims. Claim 1, initially, indicates that the subcombination, a shuttered connector, is being claimed. However, later claim 1 (lines 8-11) contains positive limitations directed toward the mating connector, suggesting that applicant intends to claim the combination of the shuttered connector and the mating connector. Applicant is required to clarify what subject matter the claims are intended to be drawn to and the language of the claim must be amended to be consistent with this intent.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6, 10 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Horikoshi et al. (US 2001/0031570).

Horikoshi discloses a shuttered connector comprising: a fitting part (at 26) that receives a mating connector (30); an insulator (26); a shutter (42A,42B) rotatably supported by the insulator between a closed position (Fig.2) at which the shutter covers the fitting part and an opened position (Fig.7) at which the mating connector is fitted with the shuttered connector; and elastic members (52) that continuously urge the shutter in the closing direction, the shutter including guide units (72), the mating connector including insertion parts (70), the insertion pads and the guide units cooperating to rotate the shutter in order to open the shutter so that the mating connector can be fitted with the shuttered connector.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horikoshi in view of Hwang (US 6,454,580).

Horikoshi discloses substantially the claimed invention except for the shells. Hwang teaches the use of shells (41) covering ends of the insulator to provide a ground

connection. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the connector of Horikoshi with shells, as taught by Hwang, to provide a ground connection.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Horikoshi.

Horikoshi inherently discloses contacts in the connector with mating contacts in the mating connector. Horikoshi discloses substantially the claimed invention except for the contacts being socket contacts. However, it would have been an obvious to form the contacts of the connector as socket contacts, since it would work equally well regardless of the specific contact and one skill in the art would have been able to select a specific contact type base on aesthetic/environmental requirements/preference.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chow et al. (US 2001/000764) and De Penti (US 3,219,964) disclose shuttered connectors.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (703) 308-0097. The examiner can normally be reached on Mon.-Fri., 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (703) 308-2319. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

ffr



  
RENEE LUEBKE  
PRIMARY EXAMINER